

Exhibit 2:

Paul Reingold Resume

PAUL D. REINGOLD

Clinical Professor of Law (emeritus)
UNIVERSITY OF MICHIGAN LAW SCHOOL
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TEACHING and ADMINISTRATION (highlights)

Clinical Professor of Law and Director, Michigan Clinical Law Program, University of Michigan Law School, 1989-2019; Clinical Assistant Professor and Acting Clinic Director, 1983-89; (emeritus professor since 2020)

The MCLP was the Law School's general practice civil-criminal litigation clinic. Over the years law students under my supervision tried cases in the local district, circuit, probate, and federal courts. The course included formal seminars and simulations, with much of the content coming out of the cases. The course focused on how a lawyer acquires good judgment and what it means to take responsibility for a client. As director I designed the course, supervised clerical and teaching staff, wrote grants, fostered good relations with the courts and the local bar, and coordinated all clinic activities with both outside public agencies and other U-M programs. I also taught Litigation Ethics, an upper-level lecture course run as a concentrated summer class, Negotiation Ethics, and Public Interest Litigation Ethics.

Associate Dean for Clinical Affairs (Interim), University of Michigan Law School, 2013

I worked with the dean and senior administrative staff on all issues concerning the clinics, and oversaw the work of 30+ full-time and part-time clinical faculty, as well as staff, in the Law School's (then) 14 clinics.

Visiting Professor of Law, Boston College Law School, Boston, MA, Winter-Spring Term, 2000

On sabbatical I agreed to fill in for BC's senior clinician (who left mid-year to assume the deanship at another law school). I co-taught a civil litigation seminar and supervised students in the BC Legal Assistance Bureau. BC/LAB was a freestanding legal services office in Waltham, Massachusetts, which served as the Law School's general civil clinic.

Visiting Professor of Law (Catedrático), University of Salamanca Law School, Salamanca, Spain, Fall Term, 1999

On sabbatical I spent four months at one of Spain's leading law schools, where I worked in the Area de Derecho Procesal (procedural law). I used the time abroad to improve my high

school Spanish, to investigate the possibilities for law school clinics in Spain, and to study Spanish civil and criminal procedural rules (especially as they relate to prisoners' rights).

Gerry Spence's Trial Lawyers College, Jackson, Wyoming, Summer Term, 1999

In 1999 the Trial Lawyers College admitted 48 lawyers for a five-week intensive course. The college was housed at the 35,000-acre Spence-Moriarity State Recreation Area on a ranch near Dubois, Wyoming. Students and staff brought a wealth of trial experience to the college; they included some of the most successful civil/criminal trial lawyers in the country (representing civil plaintiffs and criminal defendants).

Visiting Professor of Law, Kwansei Gakuin University Law School, Nishinomiya, Japan, Spring Term, 1999

On sabbatical I taught an accelerated full-term graduate seminar (*Introduction to American Law*, with an emphasis on the U.S. jury system). I also gave papers to the law faculty on recent trends in American legal education, and to the Osaka Bar Association on the prospects for a proposed jury system in Japan.

PREVIOUS LEGAL PRACTICE (highlights)

Assistant City Attorney, City of Ann Arbor, 1982 - 1983

The City Attorney's Office was a six-lawyer in-house corporate counsel's office providing a full range of legal services to city government. My responsibilities included federal court litigation, state court tort defense work, oversight of property tax collections, misdemeanor prosecutions, contract and code drafting and review, and advice as needed to all city departments.

Senior Attorney, Managing Attorney, Staff Attorney, and VISTA Attorney, Legal Services of Southeastern Michigan and Washtenaw County Legal Aid Society, 1977 - 1982

Starting as a VISTA volunteer in 1977, I spent five years in field offices of the Legal Services Corporation. I took assignments in several counties, returning to the main office in Ann Arbor as the senior attorney from 1980-82. My experience included scores of administrative hearings, followed by litigation and appeals at every level of the state and federal courts.

Law Clerk, Sulloway, Hollis, & Soden, Concord, New Hampshire, Summer 1976

Working in the largest firm in New Hampshire's capital city, I learned the rudiments of legal research, legal writing, and trial practice.

EDUCATION

St. Paul's School, Concord, New Hampshire

- Dean's List
- National Merit Scholarship Finalist
- Diploma *cum laude* with Spring Term Project (in London), June 1969

Amherst College, Amherst, Massachusetts

- Dean's List
- Rhodes Scholarship Finalist (Northeast Region, 1973)
- English Honors Thesis
- B.A. *magna cum laude* with Field Study, January 1974
- John W. Simpson Graduate Fellowship for Law, 1975-76

Boston University School of Law, Boston, Massachusetts

- Stone Moot Court Section: Best Team/Best Brief
- Selected for Albers Moot Court Competition
- J.D. June 1977

TEACHING AND LEGAL ACTIVITIES

- L. Hart Wright Award for Excellence in Teaching, Law School Student Senate, 1986
- University of Michigan Student Legal Services, Board of Directors 1983-99, 2010-18
- National Lawyers Guild Unemployment Benefits Project, Faculty Advisor 1983-94
- Michigan Legal Services / Legal Services of S.C. Michigan, Consulting Attorney 1982-2019
- Ann Arbor Chapter - National Lawyers Guild, President 1991-92; Steering Committee 1986-2000
- Institute of Continuing Legal Education, Exec. Board 1991- present, Chair 2002-03, 11-12, 17-18
- CLINICAL LAW REVIEW (a peer-edited journal), Founding Member of Editorial Board 1993-96
- Fulbright Fellowships, Czechoslovakia 1992 (awarded by U.S. but derailed by Czech civil war); Ireland 2007 (awarded by U.S. but canceled due to a funding shortfall at the Irish Commission)
- Honors Convocation, University of Michigan Law School, Faculty Speaker 1991
- ABA/AALS Accreditation Teams, Univ. of Chicago Law School 1991; BYU Law School 1998
- Legal Services Corporation, Regional Trial Advocacy Trainings 1990-2018; Lead Trainer 1999
- National Clearinghouse for Legal Services, Advisory Board 1984-86
- AALS Clinical Law Section, Executive Committee 1996-99
- Michigan State Bar, Access to Justice Task Force 2002-03
- Fellow, Michigan State Bar Foundation, since 2003
- Champion of Justice Award, Michigan State Bar 2009
- Council of the Section on Prisons and Corrections, Michigan State Bar 2010-17

- Distinguished Brief Award, Michigan Supreme Court 2013-14 term (Cooley L. Rev.)
- John W. Reed Michigan Lawyer Legacy Award, Michigan State Bar 2020

MAJOR LITIGATION PROJECTS AND PUBLICATIONS (highlights)

Litigation (Lead Counsel or Co-Counsel)

U.S. Supreme Court

- *Burnside v. Walters*, cert. granted 133 S. Ct. 2337 (2013) (amicus brief in support of *in forma pauperis* case challenging the Sixth Circuit's "*McGore* rule," which required all dismissals under 28 U.S.C. § 1915(e) to be entered with prejudice and without leave to amend; two weeks after the cert grant the Sixth Circuit renounced the *McGore* rule, in *LaFountain v. Harry*, 716 F.3d 944 (6th Cir. 2013))
- *Will v. Dept. of State Police*, 491 U.S. 58 (1989) (states, or state officers acting in their official capacities, are not "persons" within the definition of 42 U.S.C. ' 1983)
- *Hardin v. Straub*, 490 U.S. 536 (1989) (Michigan's disability tolling statute is consistent with the federal policies of 42 U.S.C. ' 1983); appeal after remand, 954 F.2d 1193 (6th Cir. 1992)
- *Green v. Mansour*, 474 U.S. 64 (1985) (notice relief in welfare class actions is barred by the Eleventh Amendment where no ongoing federal violation exists at the time of judgment)

U.S. Court of Appeals for the Sixth Circuit

- *Does v. Snyder*, 834 F.3d 696 (6th Cir. 2016), cert. denied, 138 S. Ct. 55 (2017) (2017) (reversing the district court and holding that Michigan's Sex Offender Registration Act violates the Ex Post Facto Clause; state's appeal was denied after the U.S. Supreme Court called for the views of the U.S. Solicitor General, which sided with plaintiffs in recommending against certiorari; declaratory and injunctive relief entered; attorneys' fees settled for \$1.8 million)
- *Cobbs v. Pramstaller*, 2012 WL 1194999 (4/10/12) (reversing district court and granting summary judgment based on qualified immunity to MDOC chief medical officer, where prisoner's second-eye cataract surgery was denied for four years; case settled on remand)
- *Foster v. Booker*, 595 F.3d 353 (6th Cir. 2010) (retroactive application of 1990s parole laws and policies did not violate the *ex post facto* clause as applied to pre-'92 parolable lifers)
- *Beltran v. Mukasey*, 286 Fed. Appx. 914, 2008 WL 2660859 (7/7/08) (resident in deportation proceedings is eligible for discretionary relief despite commission of crime after 1996)

changes to immigration laws; DHS cannot raise new issue on remand not raised previously)

- *Siggers-El v. Barlow*, 412 F.3d 693 (6th Cir. 2005) (defendant is not entitled to qualified immunity for transferring inmate in retaliation for the exercise of First Amendment rights)
- *Bell v. Johnson*, 404 F.3d 997 (6th Cir. 2005) (verdict for plaintiff upheld against defense challenge to district court's orders granting new trial as to damages and denying motion to recuse)
- *Beltran v. U.S.I.N.S.*, 332 F.3d 407 (6th Cir. 2003) (*in absentia* order of deportation reversed where INS failed to send notice of hearing to alien's last address supplied in writing to INS)
- *Bell v. Johnson*, 308 F.3d 594 (6th Cir. 2002) (defendants not entitled to qualified immunity where constitutional law was "clearly established" when defendant's misconduct occurred)
- *Thaddeus-X and Bell v. Blatter*, 175 F.3d 378 (6th Cir. 1999) (*en banc*) (prisoners state civil rights claim where guards retaliated against them for filing lawsuits; summary judgment for defendants reversed and case remanded for trial)
- *Shukoski v. Indianhead Mountain Resort, Inc.*, 166 F.3d 848 (6th Cir. 1999) (Michigan's Ski Area Safety Act bars snow-boarder's tort claim; motion and brief for rehearing *en banc*)
- *Wright v. Morris*, 111 F.3d 414 (6th Cir.), *cert. denied*, 522 U.S. 906 (1997) (administrative exhaustion provisions of the Prison Litigation Reform Act of 1996 are not retroactive)
- *Mackey v. Dyke*, 111 F.3d 460 (6th Cir.), *cert. denied*, 522 U.S. 848 (1997) (inmate segregated illegally for 120 days fails to state a civil rights claim under *Sandin v. Connor*, 515 U.S. 472 (1995), modifying *Mackey v. Dyke*, 29 F.3d 1086 (6th Cir. 1994) (segregated prisoner held without hearing states a due process violation)
- *Shabazz v. Gabry*, 123 F.3d 909 (6th Cir. 1997), *cert. denied*, 522 U.S. 1120 (1998) (retroactive reduction in frequency of parole hearings does not violate the *ex post facto* clause)
- *Cale v. Johnson*, 861 F.2d 943 (6th Cir. 1989) (prisoner states substantive due process claim where correctional officer allegedly planted narcotics and filed false disciplinary charges)

U.S. District Courts and State Courts

- *People v. Betts*, __ Mich. __, 2021 WL 3161828 (Mich. Sup. Ct. 2021) (*amicus* brief in successful appeal (holding that Michigan's Sex Offenders Registration Act violates the Ex Post Facto Clause as applied retroactively, and reversing defendant's conviction for failing to register under the Act because it did not apply to him))

- *Doe, et al. v. Snyder*, 449 F. Supp. 3d 719 (E.D. Mich. 2020) (granting summary judgment on behalf of all 44,000 people on Michigan’s sex offender registry, holding that the 2006 and 2011 SORA amendments violate the Ex Post Facto Clause; that other portions of the law are unconstitutionally vague under the Due Process Clause or violate the First Amendment; that the 2011 amendments are not severable from the statute; and entering broad declaratory and injunctive relief)
- *Roe v. Snyder*, 240 F. Supp. 3d 697 (E.D. Mich. 2017) (order granting preliminary injunction and denying defense motions to dismiss where plaintiff was threatened with prosecution for working within a “school safety zone” after the Sixth Circuit had held the state’s Sex Offenders Registration Act violates the Ex Post Facto Clause)
- *People v. Temelkoski*, Mich. Sup. Ct. No. 15-0643 (*amicus* brief in successful appeal challenging the retroactive application of Michigan’s Sex Offender Registration Act to a young defendant adjudicated under a diversion statute who was never convicted of a sexual offense and was promised that he would suffer “no civil disability” as a result of his plea)
- *Sweezer v. Heyns*, E.D. Mich. No. 13-cv-14382 (7/12/16) (prisoners serving a parolable life sentence and a concurrent term-of-years sentence are eligible for parole at their minimum term less any credits they could earn when they committed the crime; contrary state policy is unconstitutional, resulting in relief for 190 prisoner, and awarding full attorneys’ fees)
- *Does v. Snyder*, 101 F. Supp. 3d 722 (E.D. Mich. 2015) (Sex Offender Registration Act identification requirements for homeless people violate due process; SORA’s internet reporting requirements violate the First Amendment as applied retroactively)
- *Does v. Snyder*, 101 F. Supp. 3d 672 (E.D. Mich. 2015) (parts of SORA are void for vagueness or infringe on the plaintiffs’ First Amendment rights – including certain in-person reporting requirements and the so-called “school safety zones,” and granting injunctive relief)
- *Makowski v. Governor*, 495 Mich. 465 (2014) (holding 6-0 under *Marbury v. Madison* (1) that once the Governor had signed a commutation and filed it with the Secretary of State, she could not revoke it, and (2) that the question presented was neither a non-justiciable political question nor barred by separation of powers, reversing 299 Mich. App. 166 (2012))
- *Does v. Snyder*, 932 F. Supp. 2d 803 (E.D. Mich. 2013) (in global challenge to state’s Sex Offender Registration Act, granting in part and denying in part state’s motion to dismiss)
- *Allen v. Heyns*, Court of Claims No. 13-00154-MZ-C30 (prisoners serving a parolable life sentence and a consecutive term-of-years sentence are eligible for parole after serving the minimum on their life sentence plus the minimum on their consecutive sentence; contrary

state policy – which treated the class as mandatory lifers – violated state law; 130 prisoners became parolable and 22 were released in the first year after judgment)

- *Foster-Bey et al. v. Rubitschun et al.*, E.D. Mich. No. 05-CV-71318 (2/7/08) (granting declaratory and injunctive relief to class of all pre-1992 parolable lifers where parole board retroactively applied post-1992 parole standards in violation of *ex post facto* clause; reversed by *Foster v. Booker*, 595 F.3d 353 (6th Cir. 2010), *cert. denied*, 562 U.S. 898 (2010))
- *Siggers-el v. Barlow*, 433 F. Supp. 2d 811 (E.D. Mich. 2006) (upholding jury verdict of \$219,000 and awarding attorneys’ fees of \$89,000 in First Amendment retaliation case)
- *Sweeton v. McGinnis*, No. 77-72320 (E.D. Mich.) (consent judgment on behalf of all parole-eligible Michigan inmates required timely processing of parole hearings and timely release; *cert. denied*, 503 U.S. 926 (1992); new appeal and dismissal decided at 27 F.3d 1162 (6th Cir. 1994) (*en banc*), *cert. denied*, 513 U.S. 1158 (1995))
- *U.S. v. 850 South Maple*, 743 F. Supp. 505 (E.D. Mich. 1990) (under federal forfeiture statutes, summary seizure and eviction of public housing tenants violates due process; attorneys’ fees awarded, 789 F. Supp. 1385 (1992))
- *Johnson v. Meese*, 654 F. Supp. 265 (E.D. Mich. 1986) and 654 F. Supp. 270 (E.D. Mich. 1987) (plaintiffs awarded \$240,000 in attorneys’ fees at the conclusion of litigation under the federal Youth Corrections Act)
- *Swearington v. Johnson*, C.A. No. 79-74689 (E.D. Mich. 1985) (summary judgment entered awarding \$200,000 to class of prisoners whose social security and veterans benefits were seized by state agency to pay for educational programs)
- *Jindo v. Commissioners*, Washtenaw Co. Cir. Ct., No. 85-30716 (consent judgment requiring indigent hospitalization program paid for with annual \$500,000 allocation of County funds, and with cost overruns to be covered by the local hospitals; c. \$10 million in indigent health care debt was written off as part of the settlement; consent judgment amended in 1997, 2002, and 2020 to permit managed care program for the county’s poorest residents, which operated as a \$6.5 million/year integrated health plan for the poor until it was replaced in part by the Affordable Care Act)

Publications (highlights)

- *Wrong Turn on the Ex Post Facto Clause*, 106 CALIFORNIA LAW REVIEW 593 (Berkeley Law School, 2018) (with Kim Thomas)
- *From Grace to Grids: Rethinking Due Process Protection for Parole*, 107 JOURNAL OF

CRIMINAL LAW & CRIMINOLOGY 213 (Northwestern Univ. Law School, 2017) (with Kim Thomas)

- *Requiem for Section 1983*, 3 DUKE JOURNAL OF CONST'L LAW AND PUBLIC POLICY 1 (2008)
- *Recent Trends in American Legal Education*, 15 KWANSEI GAKUIN (English Language) LAW REVIEW 17 (2002) (from paper presented while on sabbatical in Japan)
- *Why Hard Cases Make Good (Clinical) Law*, 2 CLINICAL LAW REVIEW 545 (1996)
- *Harry Edwards' Nostalgia*, 91 MICHIGAN LAW REVIEW 1998 (Symposium on Legal Education) (1993); also excerpted in Michigan's Law Quad Notes (Spring 1994)
- *Making Uncle Sam Pay: A Review of Equal Access to Justice Act Cases in the Sixth Circuit, 1983-87*, 19 UNIVERSITY OF TOLEDO LAW REVIEW 301 (Annual Survey of Sixth Circuit Law) (1988) (with Martin A. Geer)

Papers

- *Comment: Law School Clinics and Diversity*, Center for Research on Learning and Teaching Occasional Paper No.12 (University of Michigan 1999)
- *The Ann Arbor Society of the Written Word*, in *The Book Group Book* (Chicago Review Press 2000) Ellen Slezak, ed. (forward by Margaret Atwood)

PRE-LEGAL EMPLOYMENT/ACTIVITIES

- English Teacher, St. Paul's School Advanced Studies Program, 1975
- Sailing Master, YMCA Camp Belknap, Wolfeboro, N.H., 1968-73
- Graduate, Minnesota Outward Bound School, 1971
- Intern, Conservative Central Office, London, England, 1969
- U.S. Senate Page, Washington, D.C., 1968

OTHER ACTIVITIES

- Founder, Ann Arbor Society of the Written Word (A²SW²), a reading group that has been meeting monthly since 1982
- Interests include hiking, biking, Nordic and Alpine skiing, fly-fishing, reading and writing